

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

LEADER TECHNOLOGIES, INC., a  
Delaware corporation

Plaintiff and Counterdefendant,

v.

FACEBOOK, INC., a Delaware  
corporation

Defendant and Counterclaimant.

**CIVIL ACTION**

NO. 1:08-cv-00862-JJF

**DECLARATION OF CRAIG CLARK IN SUPPORT OF DEFENDANT'S OPPOSITION  
TO PLAINTIFF'S MOTION TO COMPEL RESPONSES TO PLAINTIFF'S FIRST SET  
OF REQUESTS FOR PRODUCTION AND FIRST SET OF INTERROGATORIES**

I, Craig Clark, declare:

1. I am an attorney with White & Case LLP, counsel of record in this action for defendant Facebook, Inc. ("Facebook"). I make this declaration in support of Facebook's Opposition to Plaintiff's Motion to Compel Responses to Plaintiff's First Set of Requests for Production and First Set of Interrogatories. I have personal knowledge of the facts contained within this declaration and, if called as a witness, could testify competently to the matters contained herein.

2. I am informed that in or about December 2008, Sam O'Rourke, in-house counsel for Facebook, spoke with Paul Andre, counsel for LTI and requested certain information about LTI's claims. Attached hereto as **Exhibit A** is a true and correct copy of an email chain between Mr. O'Rourke to Mr. Andre reflecting discussions between Messrs. O'Rourke and Andre.

3. Attached hereto as **Exhibit B** is a true and correct copy of a letter I sent to Meghan Wharton, counsel for LTI dated April 8, 2009.

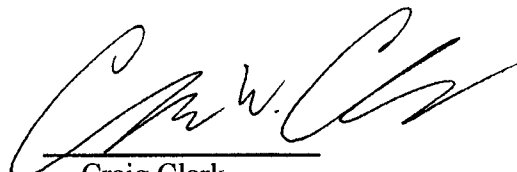
4. Counsel for Facebook participated in conferences of counsel and discussed Facebook's position with respect to LTI's response to Facebook Interrogatory No. 1 with Paul Andre, counsel for LTI, Lisa Kolbialka, counsel for LTI, and/on Ms. Wharton on multiple occasions including, April 2, 2009 and April 10, 2009.

5. Attached hereto as **Exhibit C** is a true and correct copy of a letter I sent to Ms. Kolbialka dated April 21, 2009 advising her that Facebook would produce certain materials and that it would supplement its responses to LTI Interrogatory Nos. 3, 4, 6 and 10.

6. Attached hereto as **Exhibit D** is a true and correct copy of a letter I sent to Ms. Kolbialka dated April 24, 2009 regarding LIT's request for materials filed in unrelated litigations.

7. Attached hereto as **Exhibit E** is a true and correct copy of a letter from Lisa Torres, Senior Legal Assistant at White & Case LLP, to Ms. Kolbialka, dated May 15, 2009 enclosing Facebook's production bates labeled FB00001002 to FB00109303.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 18, 2009 in Palo Alto, California.



Craig Clark